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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO. 1824 OF 2007
IN
WRIT PETITION NO. 9086 OF 2005

The Dy. Director of Health Services,
Mumbai Circle, Thane Mental Hospital
Compound, Thane. ... Applicant

V/s

Smt. Kashibai Tukaram Mahabale ... Respondent

Mr. S.K.Chinchalikar, A.G.P. for the applicant.

Mr. M.D.Parab for the respondent.

CORAM: SMT. NISHITA MHATRE, J.

DATED: 28TH SEPT., 2007.

P.C.:

1. This civil application has been moved for interim relief. The petitioners have prayed that the impugned order of the Labour Court in Complaint (ULP) No. 290 of 1998 be stayed. The petitioners had filed an affidavit of Dr.B.S.Sonawane, Resident Medical Officer, which indicates that there are vacancies available to accommodate the respondent who was working as a "Wardbai". The list of hospitals in which she could be accommodated has been annexed to the affidavit. The

respondent is willing to work in the hospital at Sr.No.10, Up-Zilla Rugnalaya, Mangaon. There are vacancies for the post of "Kaksha Sewak" which the learned A.G.P. on instructions states is the same post as "Wardbai". The petitioners are, therefore, willing to accommodate her in the Up-Zilla Rugnalaya, Mangaon, as a Kaksha Sewak/Wardbai from 1.10.2007. The respondent to report for duty on 1.10.2007.

2. The impugned order is stayed on the aforesaid conditions being complied.

3. Civil application disposed of accordingly.

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